

OGC HAS REVIEWED.

21 September 1956

MEMORANDUM FOR: The Record

25X1A

SUBJECT : [REDACTED]

1. On September 20 the undersigned met with Mr. Davitt of the Internal Security Division of the Justice Department. The purpose was to discuss what legal remedies Justice had considered in regard to [REDACTED] 25X1A

2. It was established that Mr. Davitt and others had considered a prosecution for an attempt under Title 18, sec. 793. They had assumed that for policy reasons this would be a last resort and that both CIA and they thought it could be better handled administratively. With this underlying thought they convinced themselves that such a case would be a 50-50 proposition. Mr. Davitt himself agreed that in the abstract, without the policy considerations, a good argument could be made that [REDACTED] 25X1A
report from Justice was based on their feeling that a prosecution was unnecessary.

3. We also talked of possible amendments to the Espionage Act. He was thinking of the problem of threats and preparations not amounting to attempts. Nothing has been done, nor probably will be in this direction without outside pressure.

4. The problem of extraterritorial jurisdiction of the Espionage Act has been considered for a longer time. An amendment extending section 791 to include overseas violations has departmental approval. He noted that support from CIA would be welcome.

25X1A
[REDACTED]

Office of the General Counsel

Orig - Legislative Counsel

✓ Subject - Security - 3

Signer

Chrono